

To: Elizabeth Butler/R2/USEPA/US@EPA[]
From: "Arnold, Adam C."
Sent: Fri 1/11/2013 4:06:50 PM
Subject: RE: List of Diamond Alkali Documents

Elizabeth:

We are hoping to review certain documents relating to the various AOCs entered into between the EPA and Tierra/Maxus/OCC. This would include mostly correspondence between EPA and Tierra/Maxus/OCC, correspondence between EPA and the contractors involved, correspondence to/from NJDEP regarding the work being done under the AOCs, as well as invoices and progress reports. Essentially, we are looking to collect documentary evidence that will support our view that the work being done under these AOCs was being conducted solely under the oversight of, and with the approval of, the EPA, and not the NJDEP. Rather than trying to prove a negative (i.e. that NJDEP did not provide any written approval of what was going on, or was not responsible for providing approval), we are hoping to collect documents showing that EPA was the agency responsible for overseeing, and approving, the work being done. Most likely, Harry Clayton and I will be doing the document review. We cannot estimate how much time we will need until we have at least a rough sense of the volume of documents. As far as dates go, because of the delays caused by Hurricane Sandy, we are already behind schedule and would want to begin the inspection as soon as possible. Any assistance or information that you can provide would be greatly appreciated. Thank you.

Regards,

Adam

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-----Original Message-----

From: Butler.Elizabeth@epamail.epa.gov [mailto:Butler.Elizabeth@epamail.epa.gov]
Sent: Wednesday, January 09, 2013 11:22 AM
To: Arnold, Adam C.
Subject: Re: List of Diamond Alkali Documents

Hi Adam.

If you could send me a little more information, I can begin working on that for you. First, can you narrow down which records you are intending to look at and how many people you'll be bringing with you? Also, how many day(s) do you think you'll need? This info will help our staff better prepare. As Harry knows, the documents in our files are very extensive, so we can't just pull them all out for you to review. Also, if you could pass along some dates that would work for you then I can work with our staff to see if they availability then.

Thanks,
Elizabeth

From: "Arnold, Adam C." <AArnold@gibbonslaw.com>
To: Elizabeth Butler/R2/USEPA/US@EPA
Date: 01/08/2013 06:46 PM
Subject: List of Diamond Alkali Documents

Elizabeth:

I work with Harry Clayton at Gibbons. I was actually the individual who submitted the FOIA request to which you responded last week. I have reviewed the spreadsheet and Site File inventory list that you sent, and I thank you for your assistance. Can you please tell me when I can arrange to come in and review the relevant documents? We are hoping to do this as soon as possible, as the effects of Hurricane Sandy have caused many delays already. Please let me know if I can assist in expediting this matter in any way. I appreciate any information that you can provide. Thank you.

Regards,

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